

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 7583**

**BILL NUMBER: SB 531**

**DATE PREPARED:** Jan 7, 1999

**BILL AMENDED:**

**SUBJECT:** Changes in juvenile law.

**FISCAL ANALYST:** Ron Sobecki

**PHONE NUMBER:** 232-9854

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
X FEDERAL

**IMPACT:** State

**Summary of Legislation:** This bill makes numerous changes to the child protection system, including the following: (1) Provides that a child alleged to be a child in need of services (CHINS) may not be removed from the child's home except under certain specific circumstances. (2)The bill provides that other family members must first be considered for placement if a child is removed from the child's home. (3)It provides that a child alleged to be a CHINS or delinquent child may not be removed from the child's home if the only evidence in the case is an anonymous report. (4) This bill requires the Division of Family and Children to destroy within six months all records of an unsubstantiated child abuse or neglect report.

(5) This bill provides that a proceeding to terminate a parent-child relationship must be open to the public upon request of the child's parent, guardian, or custodian. (6)The bill provides that the rules of evidence apply to detention, dispositional, and placement review hearings. (7) It requires the court to advise a child's parent, guardian, or custodian that alternative reports may be prepared by them for consideration by the court in CHINS and delinquency proceedings.

(8) This bill provides that a child's family is not required to reimburse the state or other provider for expenses relating to supervised visitation. (9) The bill requires certain juvenile court determinations to be made by a preponderance of the evidence. (10) It repeals a rebuttable presumption, created upon the introduction of certain evidence, that a child is a child in need of services. It makes certain other changes.

**Effective Date:** July 1, 1999.

**Explanation of State Expenditures:** Provision 8 of this bill which provides that a child's family is not required to reimburse the state or other provider for expenses relating to supervised visitation will have a fiscal impact. It is estimated that 3,093 children will require supervised visitation on an annual basis. It is also estimated the number of hours of supervised visitation over a 12 month period is 96 hours. The cost of a family case manager, who supervises the visitation, is \$17.30 per hour. Based on this information the total

cost of supervised visitation annually is \$5,136,854 ( 3,093 children x 96 hours x \$17.30). The federal government reimburses the state for 25% of this cost or \$1,284,214. The state share of supervised visitation is 75% or \$3,852,640. It is unknown how much the state is currently being reimbursed by the child's family. The fiscal impact of this provision would be the loss of reimbursement for supervised visitation that the state is currently receiving from the child's family.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Family and Social Services Administration.

**Local Agencies Affected:**

**Information Sources:** Kathy Graham, Family and Social Services Administration, 232-4423.